

Applic. No. 10/828,813
Amdt. dated October 19, 2006
Reply to Office action of July 19, 2006

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Remarks/Arguments:

Reconsideration of the application is requested.

Claims 1, and 3-30 remain in the application.

In the first paragraph on page 2 of the above-identified Office action, the Examiner alleges that claims 1, 3-24, and 30 of this application conflict with claims 1-33 of Application No. 10/823,986.

It is respectfully noted that the Examiner is mistaken. More specifically, the Application No. 10/823,986 claims a fiber layer having a porous covering layer, which forms a sleeve surrounding the fiber layer. This is contrary to the instant application as claimed, which recites that a filter section has a boundary region with a thickness that is less than the thickness of the filter section. Accordingly, claims 1, 3-24, and 30 of the instant application do not conflict with claims 1-33 of Application No. 10/823,986 and a clear line of demarcation exists. Therefore, it is respectfully believed that the Examiner's allegation is not correct.

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In the third paragraph on page 2 of the Office action, claims 1, 3-24, and 30 have been rejected as being obvious over Breuer et al. (U.S. Patent No. 5,322,672) (hereinafter "Breuer") in view of Wickland (U.S. Patent No. 6,355,078 B1) and further in view of Li et al. (U.S. Patent No. 6,413,589 B1) (hereinafter "Li") under 35 U.S.C. § 103.

As will be explained below, it is believed that the claims were patentable over the cited art in their original form and the claims have, therefore, not been amended to overcome the references.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claims 1 and 17 call for, *inter alia*:

at least one boundary region extending from the filter section, the boundary region having a first layer thickness being less than a second layer thickness of the filter section, and the boundary region containing a compressed or compacted fiber assembly.

It is noted that the Examiner's comments in the rejection do not appear to pertain to the claims of the instant

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application. More specifically, the Examiner comments that "claims 1, 3-24, and 30 differ from the disclosure of Breuer et al in that the filter has one covering layer formed from at least partially porous material", however, this is not recited in the rejected claims. Therefore, it is respectfully noted that the Examiner's comments do not pertain to claims 1, 3-24, and 30.

It is a requirement for a *prima facie* case of obviousness, that the prior art references must teach or suggest all the claim limitations.

The references do not show or suggest at least one boundary region extending from the filter section, the boundary region having a first layer thickness being less than a second layer thickness of the filter section, and the boundary region containing a compressed or compacted fiber assembly as recited in claims 1 and 17 of the instant application.

The references applied by the Examiner do not teach or suggest all the claim limitations. Therefore, it is believed that the Examiner has not produced a *prima facie* case of obviousness.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either

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show or suggest the features of claims 1 and 17. Claims 1 and 17 are, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claims 1 and 17, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1 and 3-30 are solicited.

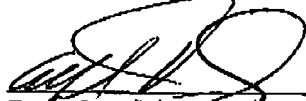
In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made.

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Please charge any other fees which might be due with respect
to Sections 1.16 and 1.17 to the Deposit Account of Lerner
Greenberg Sterner LLP, No. 12-1099.

Respectfully submitted,



For Applicant(s)

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